

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 14-170—sSB 71**

*Environment Committee*

**AN ACT CONCERNING CERTAIN REVISIONS TO THE MATTRESS STEWARDSHIP PROGRAM**

**SUMMARY:** This act makes several changes to the state's mattress stewardship law, which requires mattress manufacturers to establish a program to manage unwanted mattresses generated in Connecticut.

The act:

1. specifies that products exempt from the law include such things as unattached mattress pads and pads for "juvenile products";
2. extends by at least 90 days the date by which the "mattress stewardship fee," a fee assessed at the point of sale to fund the program, takes effect; and
3. makes retailers solely responsible for charging the fee.

It also makes minor and technical changes.

**EFFECTIVE DATE:** Upon passage

**EXEMPT PRODUCTS**

Under the program, a mattress includes any resilient material or combination of materials enclosed by a ticking, used alone or with other products, and intended or promoted for sleeping upon. Various products are exempt.

The act specifies that, to be exempt, mattress pads and toppers must be unattached and include any item with resilient filling, with or without ticking, used with or on top of a mattress. It also specifies that upholstered furniture, which the law exempts, includes fold-out sofas and futons. The act (1) classifies the infant-related products (e.g., carriages, dressing tables, playpens) already exempt from the law as "juvenile products" and (2) exempts the pads for these products.

**PROGRAM FUNDING**

Under the program, by July 1, 2014 and biennially afterward, the mattress recycling council (a nonprofit created by producers or a trade organization representing them) must propose the mattress stewardship fee. An auditor must determine within 60 days of the fee proposal whether it is (1) no greater than necessary to fund the program's cost and (2) sufficient to maintain financial reserves to operate the program over a multi-year period.

Under prior law, if the auditor determined the fee was reasonable, the fee would take effect. The act extends the fee's effective date to at least 90 days after the auditor notifies the commissioner of energy and environmental protection that

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it is reasonable.

By law, once the fee is established, it must be added to the purchase price of mattresses sold in the state. The act makes retailers solely responsible for charging and collecting the fee. Under prior law, mattress producers were required to add the fee to the cost of mattresses sold to retailers and distributors and the retailers and distributors had to add the fee to the mattresses they sold. The law allows for an alternative way to collect the fee, if the commissioner approves it.

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